IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 7074 of 2004

Between:

Kuragayala Lingamma, W/o K. Lachmaiah,
R/o H.No. 7-2-113, Badde Pochamma Street,
Vemulawada, Karimnagar District.

..... PETITIONER

AND

1 The Executive Officer, Sri Raja Rajeswara Swamy
Devasthanam, Vemulawada, Karimnagar District.
2 The Commissioner of Endowments, A.P, Hyderabad.
3 Government of Andhra Pradesh, rep. by its Secretary, Revenue
(Endowments) Department, Secretariat, Hyderabad.
4 Smt. K. Bhagyamma, W/o Nampally,.
C/o Konda Laxmirajam, H.No. 1-3-75, Vasavinagar,

Vemulawada, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of Mandamus declaring that the petitioner is entitled for compassionate appointment and also the pension, death-cum-retirement Gratuity and other pensionary benefits consequent on the death of her late husband Sri K. Lachmaiah, Gardener, Sri Raja Rajeswara Swamy Devasthanam, Vemulawada while in service on 24-11-2001 with all consequential benefits by holding the action of the respondents in not considering her case for compassionate appointment and also for death-cum-retirement benefits of her late husband without any justification or reasonable cause on the untenable ground that the 4th respondent is also claiming the said benefits vide Lr.No. A2/2641/2001, dated 15-3-2004 issued by

the Executive Officer, Sri Raja Rajeswara Swamy Devasthanam, Vemulawada read with Resolution of the Board of Trustees of the Devasthanam No. 39, dated 16-3-2004 is as illegal, arbitrary, unjust and violative of Articles 14 and 21 of the Constitution besides being opposed to all principles of natural justice, equity and fair play.

Counsel for the Petitioner: MR.D.LINGA RAO

Counsel for the Respondent No.1 to 3: GP FOR ENDOWMENTS

Counsel for the Respondent No.4: MR RAVI KONDAVETI

The Court made the following:

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ORDER:

Learned counsel for the petitioner filed a letter before the Registry on 27.12.2004 seeking permission of the Court to withdraw the writ petition. Permission is accorded.

Accordingly, the writ petition is dismissed as withdrawn. No order as to costs.

B. Prakash Rao, J

28th December, 2004

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To

1 The Executive Officer, Sri Raja Rajeswara Swamy Devasthanam, Vemulawada, Karimnagar District.
2 The Commissioner of Endowments, A.P, Hyderabad.
3 Government of Andhra Pradesh, rep. by its Secretary, Revenue (Endowments) Department, Secretariat, Hyderabad.
4 2CCs to Government Pleader for Endowments, High Court

Buildings, Hyderabad. (OUT)

5 2CD copies